

### **R E M A R K S**

Reconsideration of this application, as amended, is respectfully requested.

### **THE SPECIFICATION**

The specification has been amended to avoid referring to the claims by number, as well as to correct minor informalities of which the undersigned has become aware. No new matter has been added, and it is respectfully requested that the amendments to the specification be approved and entered.

### **THE CLAIMS**

Independent claims 8 and 21 have been amended to clarify that the adhesion section is adhered to the topsheet substantially along both side portions in the longitudinal direction of the absorbent body. See the disclosure in the specification at, for example, page 59, line 18 to page 60, line 5, and see Figs. 10-12.

In addition, claims 8-12 and 21 have been amended to make minor grammatical improvements and to correct minor antecedent basis problems so as to put them in better U.S. form, and claims 1-7, 13-20 and 22 have been canceled without prejudice.

No new matter has been added, and it is respectfully requested that the amendments to the claims be approved and entered.

THE PRIOR ART REJECTION

Claims 1-3, 8-11, 15 and 21 were rejected under 35 USC 102 as being anticipated by WO 01/10372 ("Datta et al"). This rejection, however, is respectfully traversed with respect to the claims as amended hereinabove.

According to the present invention as recited in amended independent claims 8 and 21, an absorbent article and an inner absorbent article are provided which comprise a liquid-permeable topsheet positioned at a surface that is contactable with a human body, a non liquid-permeable backsheet positioned at a surface opposite to the topsheet, an absorbent body provided between the topsheet and the backsheet, and a three-dimensional gather formed at the topsheet side to be raised at both side portions in a longitudinal direction of the absorbent body. As recited in each of amended independent claims 8 and 21, the article further comprises a folding portion at which the backsheet is folded up to the topsheet side substantially along both side portions in the longitudinal direction of the absorbent body, an attachment portion of the topsheet to which a part of the folding portion is adhered along both side portions in the longitudinal direction, and an adhesion section at which the attachment portion is folded up to the topsheet side and which is adhered to the topsheet substantially along both side portions in the longitudinal

direction of the absorbent body, wherein the folding portion constitutes at least a part of the three-dimensional gather.

With this structure of the present invention as recited in amended independent claims 8 and 21, since the attachment portions are folded up to the topsheet side and are adhered to the topsheet substantially along both side portions in the longitudinal direction of the absorbent body, the rising edges (661) which are the root portions of the three-dimensional gather are securely fixed to the topsheet along both side portions in the longitudinal direction of the absorbent body (4). See the disclosure in the specification at page 56 and Figs. 10-12. As a result, the three-dimensional gather can follow the movement of the absorbent pad, and the three-dimensional gather is firmly raised with a sufficient height. In addition, with the structure of the present invention as recited in claims 8 and 21, not only does the three-dimensional gather maintain an absorption performance but also provides a reliable appearance to the user. Still further, with the structure of the present invention as recited in claims 8 and 21, expansion of the three-dimensional gather in a lateral direction is prevented so that the three-dimensional gather does not protrude in a conveyor line and is conveyed easily. See the disclosure in the specification at pages 56 and 58.

Yet still further, with the structure of the adhesion section of claims 8 and 21, the backsheet covers the absorbent body so that a bottom face, side faces, and a part of the upper face of the absorbent body along both side portions in the longitudinal direction of the absorbent body are covered. As a result, the root portion of the three-dimensional gather is structured in a three-dimensional manner by the non liquid-permeable backsheet, and the body fluid which is pushed out from the absorbent body can be prevented from being leaked or oozed out from the root portion of the three-dimensional gather when the absorbent pad receives pressure from the user body. See the disclosure in the specification at page 58.

With respect to the cited prior art, Datta et al merely discloses that the side flap 40 may be folded and bonded onto the body-facing side of the absorbent assembly 32 near the longitudinal end edges 26 and 27 of the side flap 40, in order to reduce the quantity of free material in the corners. See page 16, lines 7-14 of Datta et al.

However, it is respectfully submitted that Datta et al does not disclose, teach or suggest the features of the present invention as recited in amended independent claims 8 and 21 whereby a part of the folding portion is adhered to the attachment portion of the topsheet along both side portions in the longitudinal direction, and whereby the attachment portion is

folded up to the topsheet side at the adhesion section which adheres to the topsheet substantially along both side portions in the longitudinal direction of the absorbent body. And it is respectfully submitted that Datta et al does not achieve or render obvious the above described advantageous effects achieved by the structure of the present invention as recited in amended independent claims 8 and 21.

In view of the foregoing, it is respectfully submitted that amended independent claims 8 and 21, and claims 9-12 depending from claim 8, all clearly patentably distinguish over Datta et al under 35 USC 102 as well as under 35 USC 103.

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Entry of this Amendment, allowance of the claims and the passing of this application to issue are respectfully solicited.

If the Examiner has any comments, questions, objections or recommendations, the Examiner is invited to telephone the undersigned for prompt action.

Respectfully submitted,

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